vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6067 OF 1997

Raigad Zilla Parishad & Anr. ... Petitioners

V/s.

Ulhas Rajaram Pardeshi & Ors. ... Respondents

Mr.C.G. Gavnekar for Petitioners
Mr.A.P. Vanarse, AGP, for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 9, 2007**

P.C.:

. The petition has been filed against the order dated 31.7.1997 passed by the Industrial Court on an interim application filed by the respondent workman. The respondent workman had filed a complaint under Items 5, 9 and 10 of Schedule IV of the MRTU & PULP Act. By the impugned order, the interim application filed by the complainant was rejected and he was directed to resume duty at the place of transfer. On rejecting the application, the Industrial Court directed the petitioner to pay wages to the respondent workman for the intervening period i.e., from the date of transfer till he resumed duty at his place of transfer.

2. When the petition was admitted, interim relief was granted to the extent that the impugned order was

stayed. However, it was directed that the Industrial Court should proceed with the complaint and dispose it of early.

3. In the event, the complaint has not been disposed of yet despite the orders of this Court, the Industrial Court shall dispose of the complaint within three months from today. The Industrial Court will not be influenced by the order dated 31.7.1997 directing payment of wages. The Industrial Court will decide and dispose of the complaint on merits. It can at the stage of final disposal of the complaint consider whether any wages are payable to the respondent workman including for the period stipulated in the impugned order.

4. The petition is disposed of accordingly. The order dated 31.7.1997 will continue to be stayed pending the hearing of the complaint if it is not already disposed of.